

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

BERTHA BATEY,	)	
	)	
Plaintiff	)	
	)	Case 3:09-1061
v.	)	Judge Trauger/Brown
	)	<b>Jury Demand</b>
AMERIGROUP TENNESSEE, INC.,	)	
	)	
Defendant	)	

**O R D E R**

A telephone conference was held with the parties in this matter on July 20, 2010. Presently pending are two motions by the Plaintiff for immediate financial relief in this matter (Docket Entries 38 and 50).

The Defendant is directed to respond to these two motions within **seven days** of the entry of this order.

At the present time the Magistrate Judge is not aware of any authority which would allow payments to a Plaintiff before liability has been established.

The Plaintiff has also filed objections to discovery requests (Docket Entry 49). The Magistrate Judge is not able to rule on this matter since he does not know the content of the interrogatories to which objections are filed. As set forth in the scheduling order, the parties should conduct a telephone conference with the Magistrate Judge about the discovery matters in dispute before filing any formal motions. The parties may contact the Magistrate Judge's chambers to set up such a telephone call, and

doing so, the parties should provide the Magistrate Judge with a copy of the particular items in dispute. If the Magistrate Judge is not able to resolve the matter with a telephone call then the parties may proceed to file discovery motions in accordance with Local Rule 37.01.

It is so **ORDERED**.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge